

Arlington Conservation Commission  
Minutes  
January 5, 2017

Mr. Stevens called the meeting to order at 7:30 p.m. in the second floor conference room of the Town Hall Annex. Present were Chair Nathaniel Stevens, Commissioners Mike Nonni, Charles Tirone, Curt Connors, Susan Chapnick, David White, and Janine White, and Associate members Catherine Garnett and Eileen Coleman. Also present was Bruce Whelittle, Peg Graveline, Joe Alulia, and Meg Cimini.

**Commission Business:**

**7:30pm Certificate of Compliance (COC) - 13-15 Laurel Street**

The applicant Peg Graveline provided a report by Oxbow Associates discussing the implementation and compliance with the special conditions in the Order requiring maintaining openings in the fencing for wildlife passage (special condition #32) and the installation and maintenance of native plantings (special condition #30).

DWhite/Tirone motioned to issue a full COC; motion passed unanimously.

**7:40pm Certificate of Compliance (COC) – 71 Dothan Street**

The applicant Joe Alulia provided a report by Oxbow Associates documenting the removal of invasive plants and the installation and planned maintenance of native plantings in compliance with the Order and special conditions. Monitoring will continue for three growing seasons and Oxbow will continue to provide monitoring reports as required by the Order. The new owners, Meg Cimini and her husband, were also present at the hearing. Discussion commenced that a partial COC should be issued because of the condition requiring monitoring for the next three years. At that time, based on the Commission's review of the monitoring reports, the full COC may be issued.

Connors/JWhite motioned to issue a partial COC; motion passed unanimously.

The new owners asked about the process for replacing an existing fence on the property line. Mr. Tirone explained the process and recommended that they send to the Commission a narrative letter of what they want to do and a sketch of the new fence. This could be handled as an Administrative Approval if the fence will be installed in the exact same place as the existing fence. The Commission reminded the owners that the fence needs to have wildlife passage breaks/holes.

**7:55pm Notice of Intent – 18 Nourse St.**

Applicant requested a continuance to 1/19/2017.

At the applicant's request, DWhite/JWhite motioned to continue this hearing to 1/19/2017 at 7:45pm; motion passed unanimously.

**8:00pm Notice of Intent – 88 Coolidge**

The Commission had reserved this timeslot to discuss the selection of a peer review consultant; however, only one response was received prior to the meeting and Mr. Stevens reported that the response, from Epsilon Associates, was not applicable to the request for hydrogeology review of the site, the proposed plan, and the neighboring lots to assist the Commission in the evaluation of the potential impact of the proposed plan on the resource areas and potential for changes in flooding in the area. Epsilon Associates acknowledged its proposal was not on point and kindly provided leads for other consultants which Mr. Stevens said he would pursue.

The Commission discussed potential individuals and firms that might have the appropriate expertise to provide a peer review. Mr. Stevens and other members of the Commission will follow up to contact potential peer reviewers.

At the applicant's request, Connors/JWhite motioned to continue this hearing to 1/19/17 at 8:00pm; motion passed unanimously.

**8:10pm Commission Business continued:**

Meeting minutes from past meetings were discussed and edited, as needed, and approved, as follows:

DWhite/Chapnick motioned to approve the Meeting Minutes from 11/3/16 with edits; motion passed unanimously.

Connors/DWhite motioned to approve the Meeting Minutes from 11/17/16; motion passed unanimously.

DWhite/Nonni motioned to approve the Meeting Minutes from 12/1/16 with edits; motion passed unanimously.

Chapnick/JWhite motioned to approve the Meeting Minutes from 12/15/16 with edits; motion passed unanimously.

**8:25pm Discussion – Homewood Suites**

Ms. Garnett updated the Commission that Dan Driskol of the DCR said he would be checking the native plantings installed on DCR land for robust planting in the spring of 2017. These plantings were a special condition of the Homewood Suites Order of Conditions.

**8:30pm Discussion – Wetlands Map: “Yellow Zone” Tool**

The Commission discussed the “Yellow Zone” tool / buffer zone that we requested be placed on the Arlington Town map that approximates protected resource areas so that property owners within such yellow areas would contact the Commission to find out if they are in a protected resource area prior to site work. The map will be posted on-line, identifying the resource areas and this Yellow Zone, which will have a narrative attached drafted as:

*If your property appears in the Yellow Zone, please contact the Arlington Conservation Commission to discuss whether or not you need to apply for a permit for proposed work.*

8:50pm      **Discussion – 47 Spy Pond Lane**

Mr. Stevens reported that DEP issued two superseding orders of conditions to approve the project under the State Wetland Protection Act and state Regulations; however, the applicant still does not have approval under the Town Wetlands Protection ByLaws and local wetland regulations and therefore cannot proceed.

To avoid confusion within the Town, Mr. Stevens will send an email to the Town Building Department to explain that 47 Spy Pond Lane does not have Town ByLaw Approval to build.

The Commission discussed and will not appeal either of the Superseding Orders of Conditions. The applicant may choose to sue the Town or the Commission over the ByLaw ruling.

9:05pm      **Conservation Commission Updates**

**Mystic Riverfront Restoration Project**

Ms. Chapnick reported that the DPW will take the lead on construction bids and oversight for the Mystic Riverfront Restoration Project and that the Planning Department will manage the project. Ms. Chapnick and Mr. Nonni represent the Commission on the working group for this project. A site visit was conducted with the former Conservation Administrator, Ms. Beckwith, on December 27, 2016.

**McClennen Park Detention Ponds**

Ms. Chapnick reported that Brown & Caldwell performed a site visit and sampling of surface water and sediment on 12/8/16. Ms. Chapnick and Mr. White of the Commission were present during this site visit and assisted in choosing sampling locations. Chemistry results are expected in January 2017.

**Water Bodies Fund – Budget**

Mr. White and Ms. Chapnick reported on the Water Bodies Fund budget for the next fiscal year. Mr. Stevens distributed the current draft request for the Water Bodies Fund, which totals to \$60,000. The budget spreadsheet includes details on the allocations for Spy Pond, Arlington Reservoir, Hills Pond, McClennen Park Detention Ponds, and “other”. Mr. Tirone mentioned that the Hills Pond request may not be considered because it might be considered “maintenance” and that some of this request may have also gone to the CPAC. In addition, it was discussed that the McClennen Park work may require more than \$10,000, depending on the assessment findings. Mr. Tirone agreed to contact Brown & Caldwell to get further information on potential next-steps and cost and Mr. White agreed to follow up on the Hills Pond budget needs. The Water Bodies group agreed to meet prior to the next Conservation Commission meeting to discuss the budget request.

**Spy Pond Edge and Erosion Control Project**

Ms. Garnett requested help with the presentation materials for the CPAC meeting. Ms. Coleman agreed to assist. Nat Strosberg of the Planning Department will be doing the presentation as Ms. Garnett will be out of town. Mr. Stevens and maybe Mr. Nonni will attend the CPAC meeting on 1/31/17 at 7:30 pm.

**Arlington Conservation Commission 2016 Annual Report**

Mr. White updated sections of the annual report. Ms. Chapnick agreed to provide updates for the Mystic Riverfront Restoration Project and the McClennen Park Detention Ponds assessment project. Ms. Garnett will provide an update for the Spy Pond Erosion Control project. Ms. Coleman agreed to compile the report for the Commission.

**Conservation Commission Administrator**

Mr. Stevens provided an update on the process for obtaining a consultant as the administrator through June 2017. The Planning Department will be requesting a full time position to be split between the Planning Department and the Conservation Commission for the next fiscal year, beginning July 2017. The job posting for a consultant will be posted shortly.

**Zoning Recodification Working Group**

Ms. Garnett reported that there will be a meeting of all Arlington Town boards on Saturday, January 28<sup>th</sup>, to discuss the Zoning bylaw and interface with the other boards. More information and an invitation will be forthcoming.

Meeting adjourned at 10:10pm.

Respectfully submitted,  
Susan Chapnick, Commissioner